

Remarks

The Office Action mailed October 4, 2006 has been carefully reviewed and the following remarks are submitted in consequence thereof.

Claims 27-52 are pending in this application. Claims 1-49 stand rejected. Claims 1-26 have been cancelled without prejudice. Claims 50-52 have been newly added. No new matter has been added.

The present amendment is intended to place the application in condition for allowance by canceling the non-elected Claims 1-23 and Claims 24-26. Applicants wish to emphasize that the cancellation of Claims 1-26 is without prejudice, and Applicants reserve the right to file a divisional application or applications to prosecute the subject matter of these claims.

Applicants note the request for submitting formal drawings. Applicants will submit formal drawings to the Patent Office once the application is allowed.

The rejection of Claims 24-49 under 35 U.S.C. § 101 as being directed to non-statutory subject matter is respectfully traversed. Applicants have canceled Claims 24-26. Accordingly, the 101 rejection of Claims 24-26 is moot. Further, Claims 27-49 have been amended to depend from newly added Claim 50. Applicants submit that newly added Claim 50 is directed to statutory subject matter and, therefore, satisfies the requirements of section 101. Accordingly, Claims 27-49, due to their dependency on newly added Claim 50, are likewise submitted to satisfy the requirements of Section 101.

For at least the reasons stated above, Applicants respectfully request that the Section 101 rejection of Claims 24-49 be withdrawn.

The rejection of Claims 24-49 under 35 U.S.C. § 101 for failing to produce a useful, concrete, and tangible result is respectfully traversed. Applicants have canceled Claims 24-26. Accordingly, the 101 rejection of Claims 24-26 is moot. Further, Claims 27-49 have been amended to depend from newly added Claim 50. Applicants submit that newly added Claim 50 is produces a useful, concrete, and tangible result and, therefore, satisfies the requirements of section 101. Accordingly, Claims 27-49, due to their dependency on newly added Claim 50, are likewise submitted to satisfy the requirements of Section 101.

For at least the reasons stated above, Applicants respectfully request that the Section 101 rejection of Claims 24-49 be withdrawn.

The rejection of Claims 24-49 under 35 U.S.C. § 112, second paragraph, as being indefinite is respectfully traversed. Claims 24-26 have been canceled. Further, Claims 27 and 28 have been amended to address the issues raised in the Office Action.

For at least the reasons stated above, Applicants respectfully request that the Section 112 rejection of Claims 24-49 be withdrawn.

The rejection of Claims 24-49 under 35 U.S.C. § 103(a) as being unpatentable over Purcell (U.S. Patent 5,940,807) is respectfully traversed.

Claims 24-26 have been canceled. Accordingly, the 103 rejection of Claims 24-26 is moot. Further, Claims 27-49 have been amended to depend from newly added Claim 50. For at least the reasons given below, Applicants respectfully submit that Claim 50 is patentable over Purcell.

Applicants submit that Purcell does not describe or suggest the Claimed invention. Specifically, Purcell does not describe or suggest a system configured to store within a database a seller participation agreement for a seller approved by a trading subsidiary, and a buyer participation agreement for a buyer approved by the trading subsidiary, and enable a financing subsidiary to purchase from the trading subsidiary accounts receivable through the financing subsidiary computer to provide financing to the trading subsidiary for the sale of additional goods.

Rather, Purcell describes a method for controlling the collection, processing and dissemination of information by a host regarding product and service availability. The method includes the steps of establishing a host operated information management system wherein the information management system is a computer having information processing and storage capabilities. The host also has electronic communication connections such as modems that permit third parties to electronically connect with the information management system for exchanging information therewith. Host approved sellers of products and services are granted limited electronic access to the information management system so that each approved seller then has a self-initiated capability to exclusively access that seller's inventory information that is maintained on the information management system for adding, amending

and deleting portions of the seller's inventory information. The seller's inventory information is analyzed and assimilated into a buyers listing of products and services available through the information management system to potential buyers. Host approved buyers of products and services are granted limited electronic access to the information management system so that each approved buyer has a self-initiatable capability to access the buyers listing for reviewing products and services of interest to that buyer. Within the information management system, the capability is provided for a purchase transaction to be initiated by an approved buyer who electronically designates a product or service of interest for purchase from the buyers listing.

Claim 50 recites a system for executing and financing transactions of goods for a parent company through a wholly owned financing subsidiary and a wholly owned trading subsidiary, wherein the financing subsidiary and the trading subsidiary are wholly owned by the parent company, wherein the system comprises "a plurality of remote computers including a computer associated with the financing subsidiary, a computer associated with the trading subsidiary, a computer associated with a seller of goods and a computer associated with a buyer of goods...the database for storing data relating to a buying, selling and financing of the goods between the financing subsidiary, the trading subsidiary, the seller and the buyer...a server coupled to the database, the server connected through a network to the financing subsidiary computer, the trading subsidiary computer, the seller computer and the buyer computer, the server configured to...prompt a user associated with the trading subsidiary to approve a seller and a buyer for participation within the system...store within the database a seller participation agreement for the seller approved by the trading subsidiary, and a buyer participation agreement for the buyer approved by the trading subsidiary...receive an order submitted through the buyer computer from the buyer for purchasing a good offered for sale by the seller, the buyer agreeing to pay the trading subsidiary for the ordered good pursuant to the buyer participation agreement stored within the database...prompt the seller through the seller computer to assign all rights in the ordered good to the trading subsidiary pursuant to the seller participation agreement stored within the database, the trading subsidiary pays the seller for the ordered good and requests that the seller ship the ordered good to the buyer pursuant to the seller participation agreement...prompt the trading subsidiary through the trading subsidiary computer to sell accounts receivable relating to the purchasing of the ordered good by the buyer...enable the financing subsidiary to purchase from the trading subsidiary the accounts receivable through

the financing subsidiary computer to provide financing to the trading subsidiary for the sale of additional goods.”

Purcell does not describe or suggest the a system as is recited in Claim 50. Specifically, Purcell does not describe or suggest a system configured to store within a database a seller participation agreement for a seller approved by a trading subsidiary, and a buyer participation agreement for a buyer approved by the trading subsidiary, and enable a financing subsidiary to purchase from the trading subsidiary accounts receivable through the financing subsidiary computer to provide financing to the trading subsidiary for the sale of additional goods.

Rather, Purcell describes a method for controlling the collection, processing and dissemination of information by a host regarding product and service availability. The method includes the steps of establishing a host operated information management system and providing that host with electronic communication connections such for exchanging information. Host approved sellers and buyers of are granted limited electronic access to the information management system so that each approved buyer has a capability to access a buyers listing for reviewing products and services. Within the information management system, the capability is provided for a purchase transaction to be initiated by an approved buyer who electronically designates a product or service of interest for purchase from the buyers listing.

Accordingly, Applicants submit that Claim 50 is patentable over Purcell.

Claims 27-49, 51, and 52 depend from independent Claim 50. When the recitations of Claims 27-49, 51, and 52 are considered in combination with the recitations of Claim 50, Applicants submit that Claims 27-49, 51, and 52 are likewise patentable over Purcell.

For at least the reasons stated above, Applicant respectfully request that the Section 103 rejection of Claims 24-49 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Daniel M. Fitzgerald
Registration No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070